

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SHALAMON DUKE,
Plaintiff,

v.

CITY COLLEGE OF SAN FRANCISCO,
et al.,
Defendants.

Case No. 19-cv-06327-PJH

**ORDER DENYING MOTION TO
REMAND**

Re: Dkt. No. 15

Plaintiff Shalamon Duke's motion to remand came on for hearing before this court on December 11, 2019. Plaintiff appeared through his counsel, Donald Lancaster, Jr. Defendants appeared through their counsel, Maria Lampasona. Having read the papers filed by the parties and carefully considered their arguments and the relevant legal authority, and good cause appearing, the court hereby DENIES plaintiff's motion to remand, for the reasons stated at the hearing and the following reasons.

A defendant may remove "any civil action brought in a State court of which the district courts . . . have original jurisdiction[.]" 28 U.S.C. § 1441(a). Under 28 U.S.C. § 1331, federal district courts have original jurisdiction of "all civil actions arising under the Constitution, laws, or treaties of the United States." Here, plaintiff asserts six causes of action explicitly arising under federal statutes, which plaintiff concedes are based on the same events underlying his state-law claims. See First Amended Complaint, Dkt. 19. As such, removal of the action to federal district court is proper, as is the court's supplemental jurisdiction at this time over the asserted state-law claims. Plaintiff's motion

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to remand is therefore DENIED.

IT IS SO ORDERED.

Dated: December 11, 2019

/s/ Phyllis J. Hamilton
PHYLLIS J. HAMILTON
United States District Judge